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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2607 OF 2007

Smt. Hemlata N. Posti ... Petitioner

V/s

M/s. Sparage (I) Pvt. Ltd. ... Respondent

Mr. Amber Joshi for the petitioner.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 2ND JULY, 2007.

P.C.:

1. The petitioner impugns the award of the Labour Court dated 11.9.2006 by which the reference was negated. According to the petitioner, she was employed with the respondent. On 18.3.2004 her services were terminated by the respondent. An industrial dispute was raised by the petitioner. The Labour Court, on the evidence led before it, held that the petitioner was in fact appointed as a part-time sweeper and in any event had settled her outstanding dues with the respondent by accepting an amount of Rs.25,000/-. The Labour Court has found that the signature of the petitioner on the revenue stamp affixed on the receipt issued by her to

the respondent tallied with her signature on various other documents. The Labour Court did not accept the case of the petitioner that she was not paid the amount.

2. The Labour Court has also found on the basis of the documents on record that the petitioner was also employed with a doctor who was examined in Court. The muster roll-cum-wage register produced by him indicated that the petitioner was employed in his hospital as an "Aaya" and was receiving remuneration for work done by her. On this basis, the Labour Court has rejected the reference.

3. In my view, there is no need to interfere with the findings of fact recorded by the Labour Court. There is no error apparent on the face of the record for interfering this Court in its writ jurisdiction.

3. Writ petition is rejected.

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